

REMARKS

Claims 1-42 were presented for examination. The Office Action dated October 31, 2006 rejects claims 1-42. This paper amends claims 1-4, 11, 13, 14, 16, 26-29, 40, 41, and 42, and cancels claim 11. Claims 1-10 and 12-42 remain pending in the application.

Applicant thanks Examiner Graham for his time and courtesy during a telephonic interview of December 5, 2006. During the interview, Applicant, Mr. Casasanta, Applicant's representative, Attorney Rodriguez, and Examiner Graham discussed the cited references Egon and Kuebler. No agreement was reached. Notwithstanding, Examiner Graham proposed various possible amendments to the claims, some of which the Applicant has adopted herein, to distinguish the Applicant's invention over the cited references.

Rejection under 35 U.S.C. § 103(a)

The Office Action rejects claims 1-32 and 35-42 under U.S.C. § 103(a) as unpatentable over Egon in view of Kuebler. Applicant respectfully traverses the rejection because the cited references, taken alone or in combination, do not disclose, teach or suggest every element and limitation of the Applicant's invention as now claimed.

Representative independent claim 1 of the Applicant's invention, as now amended, features a grip core having a hilt portion with one or more grooves formed therein. At least one groove has a depth that varies along a length of that groove.

Egon shows a grip without any grooves, and Kuebler shows a tennis racket handle (24) with ridges than run along a length of the handle. The Office Action deems these ridges to be borders that define "grooves". Although Applicant respectfully disagrees with this characterization, Applicant submits

that the depth of such grooves do not vary along their length, as now set forth in the Applicant's claimed invention. The grooves, as disclosed by Kuebler, are of constant depth throughout their length, without any suggestion of altering such depth. Applicant therefore submits that amendment has overcome the rejection. Independent claims 13 and 26 include similar amendments, and are therefore patentably distinguishable for those reasons provided for claim 1.

Applicant's independent claim 40 recites a grip for a sport stick with a curved elongated grip portion. The grip portion has a hilt with a longitudinal dimension sized for being grasped by a hand of a user along a longitudinal axis and a knob at one end of the hilt. The grip portion also has one or more grooves. The longitudinal axis defined by the shaft of the sport stick extends through a full length of the grip, when the insertion portion is inserted into the opening of the shaft.

Egon's grip is curved, but curved so sharply that the axis of the stick does not extend through the full length of the grip when the grip is attached to the stick. The secondary reference, Kuebler, discloses a handle that remains entirely within the axis of the tennis racket. However, Kuebler's handle is straight and, thus, provides no teaching or suggestion for a curved grip that remains within the axis of the sport stick.

Applicant's claim 41 recites a grip with a grip core, an insertion portion and a grip portion. The grip core has a hilt portion, a knob portion at one end of the hilt portion, and one or more grooves formed in the knob portion. At least one of the grooves in the knob portion terminates before reaching the hilt portion.

Egon shows a grip without grooves, and Kuebler shows a tennis racket with a handle (24), grooves running along the handle, and a handle cap (26).

Unlike the Applicant's claimed knob portion, as set forth in claim 41, Kuebler's handle cap does not have any grooves; Kuebler's grooves are in the handle. Consequently, Kuebler cannot have a groove that terminates within the knob portion before reaching the hilt portion, as now set forth in the Applicant's claimed invention.

Applicant's claim 42 recites a grip for attachment to a hockey stick having a shaft. The grip has a grip core with a curved hilt portion and one or more grooves formed in the hilt portion. At least one groove has a length that curves according to a curvature of the hilt portion.

Egon does not have a grip core with longitudinal grooves. Notwithstanding, Kuebler shows a tennis racket with a handle (24), grooves running along the handle, and a handle cap (26). Unlike the hilt portion of the Applicant's grip core in claim 42, however, Kuebler's handle is straight, not curved. Therefore, unlike the Applicant's claimed groove, Kuebler's grooves are not curved.

Each dependent claim depends directly or indirectly from one of the patentable independent claims, and incorporates all of its respective limitations and, therefore, is patentably distinguishable over the cited references for at least those reasons provided in connection with the independent claims. Each dependent claim also recites an additional limitation, which, in combination with the elements and limitations of its independent claim, further distinguishes that dependent claim from the cited references. Applicant respectfully requests withdrawal of the rejection of these claims.

The Office Action rejects claims 33 and 34 under U.S.C. § 103(a) as unpatentable over Egon and Kuebler in view of Chysyk. The dependent claims 33 and 34 depend directly or indirectly from patentable independent claim 26,

and incorporate all of their respective limitations, and therefore are also patentably distinguishable over the cited references for at least those reasons provided in connection with those independent claims.

CONCLUSION

In view of the amendments and arguments made herein, Applicant submits that the application is in condition for allowance and requests early favorable action by the Examiner.

If the Examiner believes that a telephone conversation with the Applicant's representative would expedite allowance of this application, the Examiner is cordially invited to call the undersigned at (508) 303-0932.

Respectfully submitted,

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Reg. No. 41,274

Tel. No.: (508) 303-0932
Fax No.: (508) 303-0005

/Michael A. Rodriguez/
Michael A. Rodriguez
Attorney for Applicant
Guerin & Rodriguez, LLP
5 Mount Royal Avenue
Marlborough, MA 01752